

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                       |   |                            |
|-----------------------|---|----------------------------|
| In re Application of: | ) | Examiner: Not Yet Assigned |
| L. Benhase et al.     | ) |                            |
| Serial No.:           | ) | Not Yet Assigned           |
| Filed:                | ) | Concurrently Herewith      |
| For:                  | ) | Art Unit: Not Yet Assigned |
|                       | ) | METHOD, SYSTEM, AND        |
|                       | ) | PROGRAM FOR DUAL AGENT     |
|                       | ) | PROCESSES AND DUAL         |
|                       | ) | ACTIVE SERVER PROCESSES    |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Dear Sirs:

In accordance with 37 CFR §§ 1.56, 1.97, and 1.98, enclosed please find Form PTO-1449 listing the attached references which might be deemed material to the examination of the above-identified application.

A. Non-English Language References

- ☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.
- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

- B. ☒ The information disclosure statement submitted herewith is being filed
- 1) within three months of the filing date of a national application other than a continued prosecution application under 1.53(d);
  - 2) within three months of the date of entry into the national stage as set forth in 1.491 in an international application;
  - 3) before the mailing date of a first Office Action on the merits; or
  - 4) before the mailing date of a first Office Action after filing of a Request for Continued Examination under 1.114.
- C. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph B, but before the mailing date of a final action under 1.113, a Notice of Allowance under 1.311, or an action otherwise closing prosecution, and is accompanied by:
- 1) a Statement under 1.97(e); or
  - 2) a fee of \$180 as set forth in 1.17(p).
- D. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in paragraph C, but before payment of the issue fee, and is accompanied by:
- 1) a Statement under 1.97(e); and
  - 2) a fee of \$180 as set forth in 1.17(p).

**STATEMENT UNDER 1.97(e)**

I, the person signing below, certify

- ☐ that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign

application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

If required under paragraph C or D *supra*, enclosed is Applicant's check in the amount of \$180 as set forth in 1.17(p). Please charge any insufficiency or credit any overpayment to Deposit Account No. 09-0466. A duplicate of this letter is enclosed for fee processing.

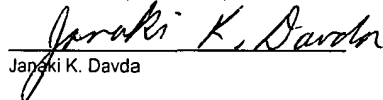
Respectfully submitted,



Janaki K. Davda  
Registration No. 40,684  
KONRAD RAYNES VICTOR & MANN, LLP  
315 S. Beverly Drive, Suite 210  
Beverly Hills, CA 90212  
(310) 556-7983  
(310) 556-7984 (fax)

Dated: July 31, 2003

I hereby certify that this correspondence is being deposited with the Exp. Mail # EV326952143US  
United States Postal Service "Express Mail Post Office to Addressee"  
service under 37 C.F.R. 1.10 on the date indicated above and is addressed  
to Mail Stop Patent Application, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450 on July 31, 2003.

  
Janaki K. Davda

7/31/03  
(Date)

(Use several sheets if necessary)

**Docket Number**  
TUC920020093US1

**Application Number**  
Not Yet Assigned

**Applicant**  
L. Benhase et al.

**Filing Date**  
**Filed Concurrently Herewith**

**Group Art Unit**  
**Not Yet Assigned**

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

|  |  |
|--|--|
|  | U.S. Patent Application Publication No. 2001/0047412 A1, entitled "Method and Apparatus for Maximizing Distance of Data Mirrors", dated November 29, 2001, by inventors J. B. Weinman, Jr., et al. |
|  | U.S. Patent Application Publication No. 2002/0049845 A1, entitled "Maintaining Membership in High Availability Systems", dated April 25, 2002, by inventors Screenivasan et al.                    |
|  | U.S. Patent Application, Serial No. 10/364,709, filed February 10, 2003, entitled "Domain Wide Reset of Agents ", by inventorsL. Benhase, et al.   |
|  |  |
|  |  |
|  |  |

**EXAMINER**

**DATE CONSIDERED**

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.